

State Water Resources Control Board

Division of Drinking Water

February 8, 2019

System No. 4400701

Mr. Bob Runyan
Quaker Center Water System
PO Box 686
Ben Lomond, CA 95005

CITATION NO. 02_05_19C_006 NITRATE MONITORING VIOLATION FOR CALENDAR YEAR 2018

Enclosed is Citation No. 02_05_19C_006 (hereinafter "Citation"), issued to Quaker Center public water system. Please note that there are legally enforceable deadlines associated with this Citation.

Quaker Center will be billed at the State Water Resources Control Board's (hereinafter "State Water Board"), hourly rate for the time spent on issuing this Citation. California Health and Safety Code, (hereinafter "CHSC"), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately two hours on enforcement activities associated with this violation.

Quaker Center will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on Quaker Center for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the state board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed Citation contains the relevant statutory provisions for filing a petition for reconsideration (CHSC, Section 116701).

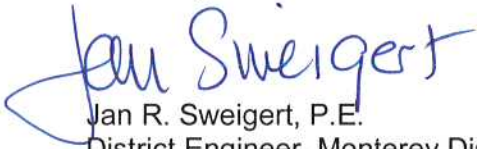
Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the state board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this matter, please contact Shaminder Kler of my staff at (831) 655-6938 or me at (831) 655-6939.

Sincerely,



Jan R. Sweigert, P.E.
District Engineer, Monterey District Office
Northern California Field Operations Branch
Division of Drinking Water

Enclosures

Certified Mail No. 7008-1830-0004-5435-1339

Email cc: Santa Cruz County Environmental Health Service
Jesse Keesaw, Operator: jkeesaw@gmail.com

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: Quaker Center

Water System No: 4400701

Attention: Mr. Bob Runyan
Quaker Center
PO Box 686
Ben Lomond, CA 95005

Issued: February 8, 2019

**CITATION FOR NONCOMPLIANCE WITH
CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555(a)(1) AND
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64432.1(a)**

**NITRATE MONITORING VIOLATION
CALENDAR YEAR 2018**

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section

1 116270), or any regulation, standard, permit, or order issued or adopted
2 thereunder.

3
4 The State Water Board, acting by and through its Division of Drinking Water
5 (hereinafter "Division"), and the Deputy Director for the Division, hereby
6 issues Citation No. 02_05_19C_006 (hereinafter "Citation"), pursuant to
7 Section 116650 of the CHSC to Quaker Center, for violation of CHSC,
8 Section 116555(a)(1) and California Code of Regulations (hereinafter
9 "CCR"), Title 22, Section 64432.1(a).

10
11 Applicable statutes and regulations are available on the State Water Board
12 website at:

13 https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Lawbook.html
14

15 16 **STATEMENT OF FACTS**

17 Quaker Center is classified as a transient, non-community public water
18 system with a residential population of 8 and transient population of 30,
19 serving 8 connections.

20
21 CHSC, Section 116555(a)(1) requires all public water systems to comply with
22 primary drinking water standards as defined in CHSC, Section 116275(c).
23 Primary drinking water standards include maximum levels of contaminants
24 and the monitoring and reporting requirements as specified in regulations
25 adopted by the State Water Board that pertain to maximum contaminant
26 levels.

27
28 Pursuant to CCR, Title 22, Section 64432.1(a), Quaker Center is required to
29 collect one sample annually for nitrate testing from each source. During the
30 2018 compliance period, the Quaker Center failed to collect nitrate samples

1 from Marshall Creek, Primary Station Code (hereinafter "PSC"): 4400701-
2 001 and Quaker Center Well 01, PSC: 4400701-003.

3
4 The annual nitrate samples from Marshall Creek and Quaker Center Well 01
5 were collected on January 23, 2019 and the nitrate was not detected in
6 these samples.

8 DETERMINATION

9 The State Water Board has determined that Quaker Center has failed to
10 comply with primary drinking water standards pursuant to CHSC, Section
11 116555(a)(1) and nitrate monitoring requirements pursuant to CCR, Title 22,
12 Sections 64432.1(a).

14 DIRECTIVES

15 Quaker Center is hereby directed to take the following actions:

- 16
17 1. On or before **February 28, 2019**, notify all persons served by Quaker
18 Center of the violation of CCR, Title 22, Section 64432.1(a), in
19 conformance with Sections 64463.4(b) and (c) and 64465. The
20 Notification Template to be used to fulfill this Directive is available on
21 the State Water Board website at:
22 [https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Documents/Notices/Tier%203%20Monitoring%20Violations%20Annual%20Notice.doc)
23 [Documents/Notices/Tier%203%20Monitoring%20Violations%20Annu](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Documents/Notices/Tier%203%20Monitoring%20Violations%20Annual%20Notice.doc)
24 [al%20Notice.doc](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Documents/Notices/Tier%203%20Monitoring%20Violations%20Annual%20Notice.doc)

25
26 The Notification Template shall be approved by the State Water
27 Board prior to issuance. Quaker Center must edit the wording of the
28 sample notification as necessary.
29

The notification shall be completed in accordance with the following:

- Posting of the Public Notification in conspicuous places within the area served by the water system. The notice shall remain posted for a minimum of seven (7) consecutive days and;
- By one of the following secondary methods to reach persons not likely to be reached by posting;
 - By publication in a local newspaper or newsletter distributed to customers, by internet posting of the notice or by direct delivery to each customer served by Quaker Center. If the water system opts to issue the notice via internet website, the public notice shall remain posted for a minimum of seven (7) consecutive days.

Quaker Center must determine which option will be used to conduct the secondary distribution of the notice and notify the State Water Board of their decision no later than **February 20, 2019.**

2. Complete Appendix 1: Compliance Certification Form. Submit it together with a copy of the public notification required by Directive 1 to the State Water Board on or before **March 11, 2019.**
3. Quaker Center shall ensure that monitoring is conducted annually for nitrate from all its active sources and that the laboratory, which conducts the analysis, submits the analytical results electronically by a State Water Board approved method no later than the 10th day of the month following completion of the analyses.

4. Quaker Center shall electronically submit the sample results of annual nitrate collected on January 23, 2019, from Marshall Creek, PSC: 4400701-001 and Quaker Center Well 01, PSC: 4400701-003 to the State Water Board on or before **March 11, 2019**.

5. Quaker Center shall include this violation in the 2018 Consumer Confidence Report in accordance with CCR, Title 22, Section 64481(g)(1).

All submittals required by this Citation shall be electronically submitted to the State Water Board at the following address. The subject line for all electronic submittals corresponding to this Citation shall include the following information: Water System name and number, citation number and title of the document being submitted.

Jan R. Sweigert, P.E.
District Engineer, Monterey District Office
Dwpdist05@waterboards.ca.gov

The State Water Board reserves the right to make modifications to this Citation as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance.

Nothing in this Citation relieves Quaker Center of its obligation to meet the requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.

PARTIES BOUND

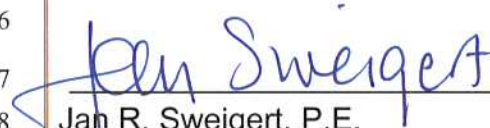
This Citation shall apply to and be binding upon Quaker Center, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this Citation are severable, and Quaker Center shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Water Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Citation.


Jan R. Sweigert, P.E.
District Engineer, Monterey District Office
Northern California Field Operations Branch
Division of Drinking Water

2/8/2019
Date



1

2

3

4 Appendix:

5

6 1. Compliance Certification Form

7

8 Certified Mail No. 7008-1830-0004-5435-1339

APPENDIX 1. COMPLIANCE CERTIFICATION

Citation Number: 02_05_19C_006

Name of Water System: Quaker Center

System Number: 4400701

Certification

I certify that the users of the water supplied by this water system were notified of the nitrate monitoring violation of California Code of Regulations, Title 22, Section 64432.1(a) for the compliance period of 2018 and the required actions listed below were completed.

Required Action	Date Completed
(Citation Directive 1) Public Notification Method(s) Used: _____	

Signature of Water System Representative

Date

Attach a copy of the public notice distributed to the water system's customers

THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD, DIVISION OF DRINKING WATER, NO LATER THAN <u>MARCH 11, 2019</u>
--

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.